TO-DAY'S REPUBLIC News Sections, Comic

NINETY-FIFTH YEAR.

ST. LOUIS, MO., SUNDAY, JANUARY 18, 1903.

PRICE FIVE CENTS.

ABSENCE OF WITNESSES IN KELLY TRIAL RESULTS IN CONTINUATION OF HIS CASE

Judge Ryan Overrules Demurrer Relative to Taking It From the Jury, Holding That Defendant's Testimony Before Grand Jury Was Short of Convening the Knowledge Desired-State's Evidence, Including the Whole Story of Suburban Deal, With Added Chapters, Is All In-Four Witnesses for Kelly Give Testimony.



session last night, to have the case thrown out on a demurrer to the evidence, but failed, and the jury must now decide the

Kelly's behalf took the stand last night, testifying as to his general character,

Some of the witnesses summo

On the ground that other witnesses wer absent from the courtroom, the case was laid over until to-morrow morning. It is The principal part of yesterday's testi-

ony was a rehash of the story of the Suburban bill, of the \$75,000 stored in a trust company vault, and of conferences concerning this sum, at which Kelly was

the arguments of attorneys on the Ce-murrer, was not that the State failed to show that Kelly knew of this money, but that it had failed to prove him to possess exactly as much knowledge as the informa-

It was purely a technical construction, based on the theory, according to the words of Judge Krum, that the "perjury proven was not the perjury charged."

In explaining his reasons for overruling the demurrer, Judge Ryan said: While Kelly's statements before the Grand Jury may be considered, in a certain light, truthful, they certainly stop far short of conveying to the Grand Jury the knowledge they desired, and which they

Several new points were brought out by the testimony with relation to the Suburban bill tale of boodling. In the course of 1 is examination, John K. Murrell stated that no personal or other influence induced him to return to St. Louis and make a clean

breast of it, save that of his wife. "and prevailed upon me to return." As at previous trials, the "prices" paid for votes figured extensively. Kelly, according to several of the witnesses gave

them the largest amounts they ever received-\$2,500 for the lighting bill. When it came down to figuring the lowest unts, the witnesses were uncertain, but

John Helms admitted that on one occasion a stove had been his price. This article was the consideration for his ballot in the WIFE'S INFLUENCE

BROUGHT MURRELL BACK.

In the course of his testimony on cross-examination, John K. Murrell stated that his return to St. Louis from Mexico, where he fied to escape trial for bribery, was not brought about any person or influence, other than his wife. He gave considerable new information as to his return.

On direct examination Murrell told the old story of how he made a deal with Phil tock to deliver the nineteen votes of the combine for the Suburban bill for \$75,000, which was placed in the Lincoln Trust Company safety deposit vault. Mr. Folk in ad dition brought out from Murrell that Kelly had threatened to take the matter to the Grand Jury unless Stock paid over the money and he declared that Kelly was one of those members of the combine who first demanded that the Suburban pay the com-bine \$100,000 for the nineteen votes. He declared that Kelly had attended the

tings of the combine where the \$75,000 discussed, which was contrary to the adant's testimony before the Grand

Judge Clark cross-examined Murrell and found it hard to shake the witness on the least material point. After several prelim-mary questions Judge Clark asked the wit-

CHARLES F. KELLY.
Former Speaker of the House of Delegates, as he appeared at his trial yesterday. "Did you not testify that you hoped to receive some exemption?"

"No, sir."
"Did you testify at the Bersch trial?"

"Was your testimony practically the same as it is here to-day?"

"Yes."
"Did you testify at the Lehmann trial?"

"On March 10, you filed an affidavit for a continuance of your case on the ground that some of your witnesses were not present, did you not?"

Yes, sir, because Mr. Rowe advised m

question. He is chief counsel for Kelly a

a surprise to him. His face flushed and he displayed discomfiture when the jurors and spectators laughed and the balliff shouted

Judge Clark quickly dropped this line of

ouse and advised it."
"Did you see the affidavit before it was

"Did you see the sindavit before it was presented to the court?"
"No, sir. I signed it because they were my lawyers and did not know just what it was. Rowe told me it made little differ-

Circuit Attorney Folk took the witness

for redirect examination.

"Was it not at the meeting at Schnettler's Hall that you told about your dealings with Phil Stock and informed the other combine members what you had done with the \$75,0007"

"Yes."

"Tell why you returned to St. Louis."

Because he did as I did-ran away."

The jurors and spectators again laughed, and the bailiff was called upon to restore order. Kelly also smiled broadly as Murrell glanced at him.

"When you came to see me no promise was made, was there?"

"No sir"

You stopped at De Soto before you came

to the city, did you not?"
"Yes; two or three days."
"Then you came to the city and gave yourself up?"
"Yes."

"When you came out to see me, did I Continued on Page Two.

"Because my wife came after me."
"Did you see Kelly after your return?"
"Not for some time," replied Murrell,

questioning. Circuit Attorney Folk asked:

"In the Denny case?"

"Because I was not here."

'For the same reason."

ADVISED TO ASK

FOR A CONTINUANCE.

eep secret from other members of the House of Delegates the name of the party with whom you were dealing?"

"Yes, sir," the witness replied,
"Did you not also try to keep them from knowing where the money had been de-

"For a time all they had was your report that you had entered into a deal with some person and the money was on de-

"Yes, sir."

"Who made the proposition, you or Stock?"

"What was his proposition?" "He first offered to pay \$60,000 for nine een votes on the bill. I reported it to the

combine and the members refused to accept

ess than \$75,000, which he finally agreed to "That is, he offered to pay over to you personally \$60,000?"

"To me, for the House members." "Did you name for him each of the nineteen members whose tain for the money?" mbers whose votes you would ob-

"Yes, sir, at the second or third conference I had with him." The bench warrant on which Murrell was arrested on January 27, 1902, being shown to Murrell, he was asked if he could iden-tify it, and replied that he supposed it was

"Your case was called in court on March of and continued to March 18, was it not?" isked Judge Clark. "Yes, sir."
"You were not in court on March 18, were

"No, sir."
"Did you leave St. Louis to avoid trial?"

"You went to Mexico, I believe?"
"Yes, sir." "Were you not seen by some person in Mexico and told to come back and that you would receive immunity by so doing?"
"No, sir."

NOT INTERVIEWED BY ST. LOUIS REPORTER.

"Did not a representative of a St. Loui

"Did not a representative of a St. Louis paper interview you?"
"I do not call it an interview."
"Was it not on account of that interview that you returned to St. Louis?"
"No, sir; it was on my wife's account. She came down to see me and prevailed upon me to return."
"Where did you go when you first arrived in St. Louis?"

in St. Louis?" "I went to the Four Courts."
"Who did you see?"
"Mr. Folk."

"Did you have an interview with him?"
"Not until two or three days after my arrival."

"In Mr. Folk's house" "Then you told him of this matter?"
"Part of it."
"Did you tell it to Mr. Folk with the understanding that you were to escape punishment?"

"Then, why?"
"To clear my own mind."
"Have you not received some assurance that some mitigation will be shown you?"
"No, sir."
"At the trial of John H. Schnettler did you not testify that you had?"
"No, sir."

LEAKING BOILERS CAUSED DELAY TO STEAMER ST. LOUIS

Passengers Indignant at Company for Sending Ship to Sea When Known to Be Defective.

SUITS FOR DAMAGES TO COME.

Affecting Scenes at Pier When Long-Delayed Vessel Arrives and Those on Board Meet Friends.

HEAVY WEATHER ON VOYAGE.

Captain Refused Demand That Travelers Be Landed at Halifax or Transferred to Some Other Liner.

Louis arrived at her pier here to-day after an extremely slow trip, owing to leaky

Her time from Cherhourg to the lightship was 13 days 5 hours and 2 minutes, 6 days 15 hours and 25 minutes behind the ship's best record.

There was no accident of any kind at any time, and, although heavy weather was en-countered, practically all the delay was caused by inability to get up good steam in the defective boilers.

The passengers became very indignant when they learned of the poor passage the vessel was making, and an indignation neeting was held, at which the line was severely censured for permitting passengers to embark on a steamer in the condition the e embark on a steamer in the con St. Louis showed. A statement was drawn St. Louis showed. A statement was drawn up and given to the public on arrival here to-day by a committee chosen to set forth the grievance of those on board.

Many of the first-class passengers declared their intention to enter suit against the company, and their cases were placed in the hands of lawyers on board.

CHEERS AT PIER.

After the was stated off Nantucket last

After she was sighted off Nantucket last night the St. Louis made good time to New York and reached her pier some hours ahead of the time set last night.

A large crowd gathered at the American Line pier and cheered as the ship came in with her load of human beings, for whose safety grave fears had been felt for several days.

safety grave fears had been felt for several days.

The tugs having gathered around the St. Louis, she was slowly broughed the dock, and when she came within speaking distance the excitement on the pier grew. It did not take long for the first and second cabin passengers to cross the gang planks, once the lines were fast, and as they got beyond the rope inclosure they were gathered to the arms of their walting relatives.

BOILERS BEGIN TO LEAK, On January 9 the steamship's boilers commenced to leak badly and continued to do so until yesterday. The St. Louis en-countered unusually stormy weather throughout. On January 11 and 12 it blew a gale from west northwest to northwest, accompanied by violent squalls and snow-

On these two days the ship logged only 125 and 130 knots. On January 10, when the saloon passengers learned of the exact con-dition of the steamer's boilers and engines they had an indignation meeting in the smoking-room, and adopted resolutions cen-suring the International Mercantile Marine Company for sending the St. Louis to sea in her dangerous condition.

A copy of these resolutions was handed to Captain Passow, demanding that the ship's course be headed for Halifax or that her passengers be transferred to some pass-ing westbound steamer, if feasible. A copy of these same resolutions also was ordered to be sent to the Associated Press, The res-

PASSENGERS' PROTEST. "Steamship St. Louis, at sea, Jan. 12, 1903.

To the Passengers of the Steamship St. Louis: The undersigned committee, elected by the saloon passengers at an indignation meeting held January 10, 1903, begs leave to

"You were a furitive from justice at the time, were you not?"
"Yes, sir."
"Were you a witness at the Faulkner report:

"First—That there is satisfactory evidence that the steamship St. Louis entered Southampton Harbor January 2 last after an easterly voyage of more than nine days in a smooth sea in a crippled condition, and that she was sent to see on the following. that she was sent to sea on the following "Your case has never been set for trial, has it?"

that she was sent to sea on the following day, leaving but little or no time for overhauling and needed repairs.

"Second—That your committee has been credibly informed that this condition was known to the management of the company before embarking passengers.

"Third—That no accident, so far as your committee is aware, has occurred since leaving Southampton to impair the speed of this ship. The delay has been only such as might have been reasonably expected from the crippled condition of her boilers. Providence, indeed, has been exceedingly kind to us, and we are truly grateful that through her tender mercies we have thus far been spared a calamity too horrible to contemplate.

"Fourth-We cannot too severely condem the recklessness of a management that would send such a crippled vessel, loaded with human freight, to contend with the storms and perils of an Atlantic winter We believe that our lives have been put in Circuit Attorney Folk asked:
"You mean by Mr. Rowe, this gentleman
who is counsel for the defendant, do you
not?" asked Folk pointing toward Rowe.
"Yes," replied Murrell, smiling.
Judge Clark inquired:
"Why did you file such an affidavit?"
"Rowe and Judge Harvey came out to my
house, and advised it." jeopardy, and certainly our loved ones at home are being made to suffer great mental anguish, not to mention the severe

and are now incurring.
"Fifth—That on the evening of January 10, 1903, the following petition was presented to Captain F. M. Passow, commanding the teamship St. Louis:
"Sixth-That it is a matter of keen regret

that a first-class steamship such as the St. Louis is reported to be, should not be sup-plied with the Marconi system, the absence of which has been keenly felt during this ver-to-be-remembered voyage.
"Seventh-That the thanks of the pas

sengers are due to the officers of the ship for their uniform courtesy under these very trying circumstances in endeavoring to al-lay our uneasiness and excitement."

"The undersigned passengers of the steamship St. Louis, bound for New York, hereby request that, in view of the crippled condition of this steamship and the consequent uncertainty of the date of her reaching port, you hall some fast westbound steamer for the purpose of transferring us thereto, or that the boat be put into Hallfart if feastly."

fax if feasible."

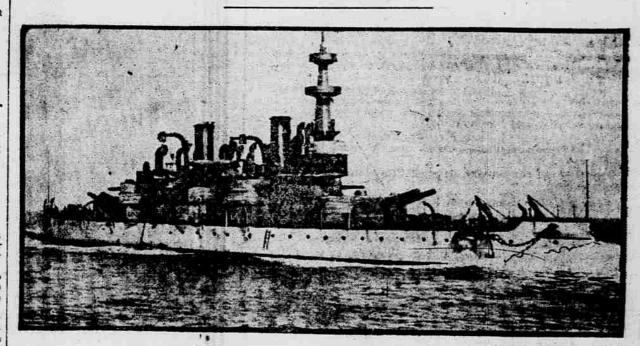
"That in reply Capitain Passow explained the difficulties and dangers attending a transfer of passengers at sea and further stated that it would be an exceedingly dangerous undertaking to attempt to take the ship in her present condition into the harbor of Hallfax. He volunteered the information that he might later on enter Boston harbor and had the question then under advisement.

The report of the committee was unani-mously approved and resolutions were adopted condemning the action of the man-agement of the line as outlined in the com-

SIX MEN ARE DEAD AND THREE WOUNDED IN TURRET ACCIDENT ON THE MASSACHUSETTS.

Explosion of Powder in the Breech of Eight-Inch Gun During Target Practice on the Big Battleship, Off Culebra Island, Slays and Maims Nine Out of the Ten Men in the Turret Crew-Victims Meet Their Deaths Heroically and the Wounded Walk With out Assistance to the Hospital-Gallant and Daring Work of Rescuing Officers-Washington Not Yet Advised as to the Cause of the Disaster, the First of the Kind in the History of the American Navy.

COXSWAIN A. S. TACKE OF ST. LOUIS DIES IN HOSPITAL FROM THE INJURIES HE RECEIVED.



The battleship Massachusetts, in w hose turnet five men were killed and four injured during target practice off

are dead and three others lie, seriously in-jured, in the hospital here as the result of an explosion in the breech of the starboard 8-inch turret gun of the battleship Massachusetts yesterday morning while the vessel was engaged in target practice off Cule-

The dend: K. J. Platt, No. 369 Eighth street, Troy.

S. F. Malinowski, No. 8433 Ontario avenue, Chicago, Ill. F. H. Loesser, No. 313 East Eighty-sixth

F. H. Loesser, No. 313 East Eighty-sixth Street, New York.
Andrew Hendriksen, Norway.
R. Rule, Wainut Hills, Cincinnati.
A. S. Tacke, St. Louis.
The injured:
A. N. Dossett, Durham, N. C.
J. G. Patterson, No. 22 Schoe, Pittsburg.
W. A. Schert, No. 375 Cleveland avenue, Chicago.

condition of apprentice Scher and Seaman Dossett has become worse and it is now thought that these men will not survive their injuries. Seaman Patterson is doing well, and it is expected that he will re-A funeral service for the men-killed in the explosion was held at 1 o'clock this

afternoon on board the Massachusetts. Chaplain Wright officiating. tery of Porto Rico, where the burial took place. The regimental band of the garrison of Porto Rico took part in the ceremony. Admiral Higginson and the officers of the

Massachusetts were at the graveside military honors and also Masonic for one of the dead were rendered, The men killed outright met their deaths heroically, and the wounded, though burned about the body, walked without assistance to the hospital in the clothing they wore

at the time of the accident.

They were heartily cheered by their companions for the pluck exhibited.

When the accident occurred Lleutenant Cole and Boatswain Someman jumped into the hot smoke-filled turret to direct the work of extinguishing the fire and seem work of extinguishing the fire and rescu-ing the injured. It was gallant and daring work, and the men entered against the

advice of the officers. The cause of the accident is unknown Board of Inquiry, consisting of Captain Convers of the Illinois, Commander Smith and Lieutenant Pratt, has been appointed to investigate and report on the matter. OFFICIAL REPORT OF ACCIDENT. REPUBLIC SPECIAL.

Washington, Jan. 17.—Official information was received at the Navy Department this morning that an explosion of a nowder charge in the 8-inch turret of the battle-ship Massachusetts killed five men and se-riously injured four others. The dispatch from the Commander of the

"San Juan, Porto Rico, Jan. 17.—Secretary of the Navy, Washington: Powder charge exploded accidentally in 8-inch turret of the Massachusetts. Cause is being investigated by board. The dead are: A. Hendrick-son, beatswain's mate; F. H. Leesser, ap-prentice; S. F. Malinowski, landsman; K. J. Platt, ordinary seaman; Robert Rule,

ordinary seaman; A. S. Tacke, coxswain, "The injured are: W. W. A. Shert, ap-prentice; J. G. Patterson, ordinary seaman A. N. Dossett, ordinary seaman."

The following is a list of the casualties, with names of nearest relatives:

Felix Herbert Loesser, enlisted at New York October 4, 1900, as apprentice, third class; born Brooklyn, N. Y., December 1, 1884; residence, New York; next of kin, Edward Loesser. No. 313 East Eighty-slxth street, New York.

Stephen Frank Malinowski, enlisted at Chicago August 4, 1900, for four years; born Poland August 2, 1882; residence, South Chiroiand Auginst 2, 1862. Ivadetice, South Chi-cago, Ill.; next of kin, Frank Malinowski, No. 8431 Ontario avenue, South Chicago, Ill. Andrew Hendrickson, enlisted at New York September 24, 1909. for four years; born Norway March 13, 1873; residence, New York; next of kin, Hans Jensen, Christian-send, Norway.

Kenneth Joseph Platt, enlisted at Albany, Kenneth Joseph Platt, enhanced at Albany, N., August 16, 1900, for four years, as landsman for training; born Dublin, Ire-land, May 6, 1887; residence, Troy, N. Y.; next of kin, Sarah Platt (mother), No. 209

next of kin. Saran Flatt (mother), No. 329 Eighth Street, New York.

Robert Rule, enlisted at Cincinnati, O., March 24, 1991, for four years, as landsman for training; born Cincinnati, O., May 12, 1882; residence, Mount Washington, O.; next of kin, John A. Rule (father), Mount Washington, Hamilton County O.

ington, Hamilton County, O.

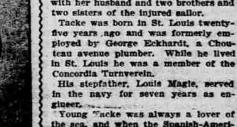
Albert Stephen Tacke, essisted St. Louis,
Mo., September 1, 1899, for four years, as
landsman; born St. Louis, Mo., May 19, 1878;
residence, St. Louis, Mo.; next of kin, Mrs. Mary Magel (mother), No. 1222 Miami stree

Walter William August Schert, enlisted at Chicago, Ill., March 1, 1800, as appren-tice, third class; born Chicago February 12, 1834; residence, Chicago; next of kin, George P. Schert (father), No. 375 Cleveland ave-

P. Schert (father), No. 375 Cleveland avenue. Cleveland. O.
Alexander Newton Dossett, enlisted at Durham, N. C., for four years as landsman for training; born, Orange County, North Carolina, July 17, 1877; residence, Durham, N. C.; next of kin, Newton Dossett (father), 1003 Pettigrew street, Durham, N. C. James Garfield Patterson, enlisted at League Island, Pa., March 27, 1809, for four years, as landsman; born, Pittsburg, Pa., Beptember 19 1881; residence, Pittsburg;

SOMETHING ABOUT THE ST. LOUIS SAILOR WHO LOST HIS LIFE

Albert Stephen Tacke, the St. Louis sailor who was fatally hurt, has be the navy nearly four years. He joined in St. Louis shortly after the blowing up of the Maine, His mother, Mrs. Magle, lives at No. 2123 Miami stre



the sea, and when the Spanish-Ameri-can War broke out was one of the first in St. Louis to offer his services to his He was assigned to the battleship

seaman soon won for him a promotion. During the recent naval sham battles His stepfather will go to Pensacola, Fia., to convey the body to St. Louis for interment. His mother was hearther son by a Republic reporter last

next of kin, Mrs. Barbara Nagle (friend), 27 Soho street, Pittsburg, Pa.

Rear Admiral Charles O'Neill, Chief of the Bureau of Ordnance, said to-day that, in view of the meager official report of the explosion, it was impossible to discuss the cause of the accident intelligently. It was the first of this kind on board an American ship of war, he said, and the Bureau of Ordnance was anxiously waiting.

Naval officers are very much concerned over the probability that there was no of-

THEY WERE WED ON MOVING TRAIN

Cars Started Suddenly From Anderson, Ind., With Young Lady Visitor.

THE PREACHER WAS ON BOARD

Telegraphed Ahead for License, and Balance of the Journey Became a Wedding Tour.

RI TIBLIC SPECIAL. ourg, Pa., Jan. 17.-Speeding across the country at the rate of fifty miles an hour in a special car, William E. Johnston, mining broker of Pittsburg, and Miss Minnie Jessup of Anderson, Ind., were married yesterday by the Reverend I. N. Fry of Charlerol.

Mr. Johnston left this city Monday night with a party in a sleping car for St. Louis. The train was scheduled to pass through Anderson, Ind., where Miss Jessup lives, Mr. Johnston and Miss Jessup have been acquainted for a number of years, and it was rumored that they were engaged. When the special steamed into Anderson Miss Jessup, who had been notified, was waiting at the station to have a few moments' chat with Mr. Johnston.

car until starting time. The train started without the usual announcement but Miss Jessup, thinking that she could get off at Greenfield, a station a short distance from her home, was not worried.

In the meantime Mr. Johnston and Miss Jessup were left to themselves. Before many minutes had passed the friends of the couple were notified to form themselves The Reverend Mr. Fry, a member of the

The Reverend Mr. Fry, a member of the party, was called into service. But a difficulty was met with. There was no marriage license. One member thought of a plan to telegraph to Columbus and have the marriage license clerk at the station meet them and arrange for the certificate. The message was sent and when Columbus was reached the clerk was there with the blanks ready to sign.

MAN, WOMEN AND DOG ATTACK AN OFFICER

Deputy Sheriff William Freesmier, While Serving Divorce Suit Papers, Is Beaten.

CANINE BITES HIM ON THE LEG.

Roomers at No. 1601 Washington Avenue Are Said to Have Used a Window Stick Upon the Deputy.

Deputy Sheriff William Freesmier, while trying to serve papers in a divorce suit at No. 1601 Washington avenue yesterday, was attacked, he states, by two women, a man

attacked, he states, by two women, a man and a dog.

One of the women beat the deputy over the head with a window stick, and he was mauled by the two other persons, to say nothing of the dog which essayed to bite a large hunk from the officer's leg.

Freesmier saved himself by the use of his right arm and other leg, he declares.

The deputy called at the Washington avenue address to serve papers in the divorce suit of John W. Biock against Jennie R. Block.

Block.

He had called last Friday and was told that Mrs. Block was not in. Yesterday he gave his name as Miller to a woman who opened the door. The woman called upstairs and said a man named Miller wished

opened the door. The woman caited upstairs and said a man named Miller wished to, see Mrs. Block.

The deputy waited for some time, but Mrs. Block did not appear. He then started to go upstairs. The woman who had waited on him then told him that Mrs. Block was not there. The deputy insisted on ascertaining for himself, when the woman, he states, picked up a window curtain stick and began to beat him with it.

QUARTET FIGHT.

Another woman and an elderly man joined in the assault, While he was trying to defend himself the dog grabbed him by the leg. He gave the dog a kick, which sent him howling away, and then gave one of the women a blow in the face, and that ended the fight.

The deputy summoned a police officer.

ended the fight.

The deputy summoned a police officer.

The woman told the deputy he could go upstairs and look for Mrs. Block. He declined and departed.

Block, in the divorce case, charges his wife with cursing and abusing him, and with attempting to shoot him. They were married May 7, 1897. Bhe deserted him January 3, 1892, he states. They have three children.